



CSU  
College of Law Library

Cleveland State University  
**EngagedScholarship@CSU**

---

1950s

The Gavel

---

3-1959

## 1959 Vol. 7 No. 6

Cleveland-Marshall College of Law

Follow this and additional works at: [https://engagedscholarship.csuohio.edu/lawpublications\\_gavel1950s](https://engagedscholarship.csuohio.edu/lawpublications_gavel1950s)  
**How does access to this work benefit you? Let us know!**

---

### Recommended Citation

Cleveland-Marshall College of Law, "1959 Vol. 7 No. 6" (1959). *1950s*. 9.  
[https://engagedscholarship.csuohio.edu/lawpublications\\_gavel1950s/9](https://engagedscholarship.csuohio.edu/lawpublications_gavel1950s/9)

This Book is brought to you for free and open access by the The Gavel at EngagedScholarship@CSU. It has been accepted for inclusion in 1950s by an authorized administrator of EngagedScholarship@CSU. For more information, please contact [library.es@csuohio.edu](mailto:library.es@csuohio.edu).



# THE GAVEL



VOLUME VII - No. 6

MARCH 1959

## PROPOSED CONSTITUTIONAL CHANGES OF THE STUDENT BAR ASSOCIATION

BY

Rathuel McCollum

Sophomore Class Representative

On Tuesday and Friday, March 19 and 20, the student body of Cleveland-Marshall will be asked to vote by ballot on the revised Constitution of the Student Bar Association. A committee composed of Rathuel McCollum, Janet Eterovich and Walt Wagner, acting by appointment of the President of the Student Congress, have recommended the changes and additions as listed below. Copies of the proposed Constitutional changes will be posted on the bulletin board aside from also being included in this article.

### PRESENT

#### Article VII

Section 1. The first election shall be held during December 1952. Thereafter, elections shall be held annually in October or November at a time designated by the Congress.

A. Nominating procedure. Thirty days prior to the time set for election, each section of each class shall designate one of its members to serve on a nominating committee. The nominating committee shall meet fifteen days prior to election and shall nominate six members from each class as candidates for election to the Congress.

B. Election procedure. The names of the six nominees from each class shall be voted upon by the members of such class and the four receiving the highest number of votes shall be the duly elected representatives of such class to Congress. Voting in each class shall be by secret ballot and the result shall be certified to the Secretary of Congress within five days following the date set for the annual election. The Congress so elected shall meet and elect its officers and transact such other business as may come before such meeting within ten days following such certification.

(continued on next page)

### PROPOSED

#### Article VII

Section 1. Elections shall be held annually during the week following the week in which classes begin.

A. Nominating Procedure. Each class shall nominate four or more of its members not later than two days before the date of election. Where a class is divided into two sections, each section shall nominate two or more of its members.

B. Election Procedure. The names of the nominees from each class shall be voted upon by its members by secret ballot. The four nominees receiving the highest number of votes in each class shall be duly elected to the Congress. Where a class is divided into two sections, the two nominees receiving the highest number of votes in the respective sections shall be duly elected to the Congress. The results of the voting shall be certified to the Faculty Advisor within five days following the date of the election. The Congress so elected shall meet and elect its officers and transact such other business as may come before them within ten days following such certification.

Section 2. Special elections may be held by the class or section in which a vacant position exists.

(continued on next page)



(continued from preceding page)

PRESENT

## Article IX

No business shall be transacted at any meeting of the Congress unless nine members are present.

## Article XII

## Amendments

Section 1. A. Any individual member of the Student Bar Association may file a proposed amendment with the Student Congress and upon three-fourths vote of the Congress, an election shall be held.

B. A petition signed by fifty members of the Student Bar Association may be presented to Congress and upon a majority vote of the Congress, an election shall be held.

C. Congress may submit an amendment to the student body and an election shall be held. A proposed amendment shall become part of this Constitution upon the majority vote of the student body.

## Article XIII

## Ratification

This Constitution shall be effective when ratified by a majority of ballots cast in each section for such purpose. Such election may be had by voice vote.

\* \* \* \* \*

A PROFILE ON PROFESSOR SAMORE  
by Harold Holdridge

William Samore was born Nov. 1, 1921, in Sioux City, Iowa, and grew up in a congenial family with four brothers and two sisters. He describes his childhood as normal for that period which included working at odd jobs after school and during (continued on page 3)

(continued from preceding page)

PROPOSED

cy occurs. At least two nominations shall be made for each vacant position not later than two days before the date set for a special election.

## Article IX

No business shall be transacted at any meeting of the Congress unless six members are present.

## Article XII

## Amendments

Section 1. A. Any individual member of the Student Bar Association may file a proposed amendment with the Student Congress and upon three-fourths vote of the Congress, the amendment shall be submitted to the student body.

B. A petition signed by fifty members of the Student Bar Association may be presented to the Congress and upon a majority vote of the Congress, the amendment shall be submitted to the student body.

C. The Student Congress may submit an amendment to the student body.

A proposed amendment shall become part of this Constitution upon the majority of the student body.

## Article XIII

## Ratification

This revised Constitution shall be effective when ratified by a majority of the members of the Student Bar Association who cast ballots at a vote called for such purpose....

THE GAVEL is published monthly by and for the students of Cleveland-Marshall Law School, 1240 Ontario Street, Cleveland, O.  
Editor-in-Chief: Robert E. Loew  
Contributing Staff: Leon Nagler, Robert Dunsmore, Harold Holdridge, Joan Holdridge, Janet Eterovich, Don Harrington  
Amicus Curiae: Mary Blazys  
Faculty Advisor: Prof. William Samore



SAMORE - (continued from page 2)  
ing summer vacations. During the depression one of these after school vocations was shining shoes. The good professor's personal artistry as a boot black became widely known long before he was to display his talent composing law examinations. He jokingly predicts that eventually one of his biographers will entitle his book "From Bootblack to White House." Upon graduation from high school young William became self-supporting and he acquired the balance of his educational training without outside help. But first he joined the Civilian Conservation Corps and helped to conserve the soil for one year at the staggering salary of \$30.00 per month. This was not all gravy, however. According to CCC rules \$15.00 was automatically sent home each month and \$7.00 was banked, which left exactly \$8.00 spending money.

The next few years were spent working in defense plants and seeing the country until the Japs bombed Pearl Harbor. After being rejected for military service he joined the merchant marine and for the next 3½ years enjoyed a nice quiet existence as a sitting duck for German torpedoes while performing his duties as a deck hand on a tanker.

Having done his bit for the war effort he then attended the University of Missouri. Here Prof. Samore not only graduated with Phi Beta Kappa honors, but also completed four years of college in three years and worked in the college cafeteria as a waiter all the same time! It was also during this period that he met, courted, and married his wife who was also a student at the University. The poor girl never really had a chance because he told her on the first date that he was going to marry her and after a whirlwind courtship he actually did so, before she was able to recover from the shock.

After winding up his successes at the University of Missouri, Prof. Samore then received a fellowship at the University of Chicago, where he stayed for one year and acquired his Masters Degree in International Relations before winning a scholarship to the Harvard Law School. At Harvard, not only the finer points of law were revealed to him, but also the intricacies of an ice cream plant where he worked during the summer  
(continued on page 4)

## RIGHT TO WORK REVISITED by Joan Holdridge

As we all know, right-to-work legislations was defeated by the electorate of 4 of the 5 States in which it appeared on last November's ballots. Surprisingly enough, the abuses that resulted in many people favoring such legislation may soon be curbed by judicial decisions.

Looking back to the headlines of yesterday, we can remember the six union members running for local offices in their Michigan community who were forced to pay a special assessment to the UAW, which assessment was used to support their opponents on the ballot. These men paid and retained their jobs, (although they lost the election), but Cecil B. deMille, on refusing to pay a similar assessment to support legislation to which he was opposed, was banned from ever producing another radio show unless he paid the assessment.

Even though there is a long record of cases supporting such assessments, an employer was recently found guilty of unfair labor practices when he fired an employee who refused to pay a special assessment. In *N.L.R.B. vs. Imparato Stevedoring Corp.*, the Court held that where a union member refuses to submit to a forced assessment for a union delegate, the union has no legitimate excuse to bring about discrimination in work assignments and eventually the suspension of the employee, and the yielding of such "arrogant compulsion" makes the employer a "part of the union's vicious discrimination."

In another recent case, a union had coerced the employer into discriminating against employees who would not join the union or would not pay special assessments. The Court held that the union would have to return the dues and assessments collected from the employees who finally paid them in order to retain their jobs. (*N.L.R.B. vs. Intern. Broth. of Teamsters, etc.*)

These two cases are an indication of the possible direction the Courts may follow. In a very recent Georgia case, the district Court held that enforced collection of a special assessment or any dues beyond the amount needed to operate the union was unconstitutional deprivation of property. Four similar cases

(continued on page 4)



**RIGHT TO WORK** (continued from page 3)  
are pending at this time in other courts.

In the meantime the highest court in Wyoming, in Hagen vs. Culinary Workers Alliance, has declared that the guarantee of liberty and pursuit of happiness set forth in the Declaration of Independence and reiterated in its constitution guarantees every person the right to choose to belong or not to belong to a union and that no legislation provision is necessary to further such guarantee.

Probably this decision will not be followed elsewhere, but it is worth noting that at least 3 lower courts and one State Supreme Court have held against forcing workmen to contribute to something in which they do not believe, in order to retain their jobs. It will be interesting to see how the Supreme Court will decide these cases in the not too distant future.

\* \* \* \* \*

**SAMORE** (continued from page 3)  
months. Mrs. Samore helped substantially by teaching school during this period which enabled the Samores to pay their bills as well as eat regularly.

After graduating from Harvard Law School, the Prof. decided to try out a career in the State Department and to this end spent some time in Washington, D.C. looking for a State Department position in the daytime, while working as a highly educated waiter in a restaurant at night. This was during the period when the Eisenhower Administration had just come into power, and by the time the State Department was hiring personnel again, Prof. Samore was teaching International Law at the University of Nebraska Law School. It wasn't long after this when his talents came to the notice of certain people at Cleveland-Marshall, which at the time was not yet approved by the American Bar Association. He notes with pride that Cleveland-Marshall already has received provisional ABA approval and he is very happy with his decision to come here.

Being the proud father of three sons, the Prof. admits to a family conspiracy destined to make the name of Samore as common as Smith or Jones. There are now seventeen grandchildren in the family - all boys. Prof. Samore is justly proud  
(continued next column)

of his family and claims its members as his best friends. He credits his love of learning to his father who received no formal schooling, but taught himself to read and write, and taught his children to take advantage of their educational opportunities. Hobbies in the Samore household include electronics, woodwork, and classical music. He enjoys sports vicariously, although in the past he took a more active interest.

His primary interest, however, is law and the best method of teaching it, so the conversation quickly came around to this subject. When Prof. Samore sank his teeth into the teaching profession, the State Department lost a good man because he really likes to work and is entirely devoted to it. He believes that it takes much more than knowledge of subject matter to be a good teacher, so he actively strives to improve his teaching methods. He feels that the case method of studying law is better for the first and possibly the second year of law school, arguing that "although the product of the case method is not tangible and cannot be put into a notebook, it teaches analysis; or to use that hackneyed phrase, it teaches the student 'how to think like a lawyer'." The ability to analyze problems correctly is often difficult to acquire, but Prof. Samore believes that the case method affords the law student with the chance to develop this skill through practice and application.

Prof. Samore's primary ambition is to continue to improve as a teacher, but he also wants to further develop his talents as a writer. His first legal article was published before he started law school, and the flow of publications has been steadily increasing ever since. He is now editing a revision of a multivolume work on<sup>in</sup>structions to juries, but his literary goal is to produce a scholarly law book - one that will be a real contribution to the law profession. For the present, however, we all thank Prof. Samore for his very real contribution to Cleveland-Marshall Law School.

\* \* \* \* \*

#### FRATERNITY NEWS

by Don Harrington, Clerk of the Rolls  
All members of Delta Theta Phi were extremely fortunate Feb. 27, 1959, when  
(continued on page 5)



FRATERNITY NEWS (continued from page 5)  
at the Social Meeting they were presented an excellent film entitled "The Land is Yours" by Mr. Walter Vitou, Vice President of The Land Title and Trust Company. The movie explained the difference between a title guarantee and title insurance. It showed examples of how complex title claims develop and how the purchaser of the protection is saved by representatives of the title companies. A very lively question and answer period followed the showing.

Russ Sherman and Keith Weber, co-chairmen of the Social Committee, are in the midst of planning the April Dance. They have decided to have the affair in the Cleveland Room at the Cleveland Hotel. More details will be published in the next Gavel and will also be posted on the fraternity bulletin board.

Eugene Flynn, Clerk of the Exchequer, has mailed the dues statements to all members. He would appreciate your early remittance.

Vice Dean Fred Lick has announced that the next initiation will be held April 22nd at the County Court House. Preceding the initiation, a luncheon will be held in the University Club. All members are urged to attend. Reservations can be made with Fred, Pat Moran or Don Harrington.

\* \* \* \* \*

#### SENIOR CLASS NOTES by Janet Eterovich

Friday, February 13, was a lucky day for Sanford Shore. His wife, Estelle, presented him with a 6 lb. 4 oz. boy whom they have named Michael Murray.

Michael Shore (the fourth year student and not the new born baby by the same name) was successful in obtaining his CPA certificate on February 5.

#### Interviews (One of a series):

There are more things between heaven and earth than this world dreams of, said Mr. Shakespeare many centuries ago. From the dark continent of Africa, from Alaska, Cuba and all over the world come messages to the United States written on the winds. Because you and I cannot hear them does not mean they are not there. These messages are audible only to those equipped with special receiving instru-

(continued on page 6)



WALLY  
THE  
WALRUS

"The time has come the Walrus said  
To talk of many things:  
Of shoes and ships and sealing wax,  
Of cabbages and kings."

The month of the Lion and the Lamb is upon us, a month of spring cleaning, and a month of repose before that last drive for the end of the year finals. Wally notes with particular joy and pride the spring cleaning currently under way in our hallowed halls, and mingles his congratulations with the rest of the student body to the powers that be for beginning the remodeling of the halls and stairways. How about an announcement so we may know just what is being done and what is being contemplated.

While in an expansive mood, Wally would like to congratulate the Student Bar for bringing forth a proposal to initiate a Student-Wives Club. For what it is worth, Wally thinks this is a fine idea, and as a point of information, has seen just such a group work out a very successful program in an Eastern Night Law School.

Talking about the Student Bar, Wally has a suggestion and a question. First, the suggestion, with the end of the school year fast approaching the time has come to think of the election of officers. In the past these elections have been held at the beginning of the school year. Wally's suggestion is to hold them at the end of the school year. Since the possibility of a first year student being elected to the executive board is rather slim and perhaps even a little inadvisable, elections to the Student Bar could be held in April, and these new representatives would immediately elect officers to serve for the following year. Such a system would assure that the Student Bar would be ready as soon as school started to swing into immediate programming and would also allow some planning to be done during the summer months where

(continued on page 6)



SENIOR NOTES (Continued from page 5)  
ments and such a person in Bernard (Bud) Burlingame, a licensed ham operator since 1953.

He operates his set which can be worked as code or voice most frequently between 11 P.M. to 1 A.M. and 5:30 A.M. to 7:00 A.M. He is sometimes up at 4:00 A.M. because Australia comes in then. He says the gals have their coffee break at 9:30 in the morning (which may last until noon) and if he is interested he can learn how to bake Swedish pastries from a girl in Sweden who is confiding her secrets in another girl in Chicago. At his pleasure, he tunes in on airplanes landing and taking off and police reports. He has been able to contact all the continents. However, he has never been able to break through the Iron Curtain.

A ham, Bud explains, seldom sees the person with whom he converses. In fact, he achieves that plane of human relations which is not concerned with race, color or creed. He is interested in what people think and what they do. If a Jewish boy dreams up a better way in which to match his antenna with his rig and talks about it over the air, there will be ten Irishmen who will pick up the idea and try it themselves. Bud is of the opinion that in this way better foreign relations may be and are promoted.

A radio club organized in Parma takes up some of Bud's spare time. Its members number about 40 who range in age from 12 on up. He believes that is a wonderful hobby for young boys and girls because it helps to keep them off the streets and reduces juvenile delinquency. Some persons prompted by this interest in electronics at an early age pursue technical and scientific studies in later years.

Bud, an insurance agent for seven years, resides with his wife Jean in Parma, Ohio. Their daughter Marcia, a sophomore at Parma Senior High School is considering following in the footsteps of her dad and entering the legal profession.

\*\*\*\*\*

WALLY (continued from page 5)  
necessary. In September the only things necessary to complete the year's programming would be for the first year students to elect their representatives and for a final appointment of committee chairmen.  
(continued next column)

Finally, such a procedure would save a awful lot of time and confusion - unless of course it is felt that confusion would add to the functioning of the Student Bar.

Now for those of you who have been waiting breathlessly - the question. A number of months ago Wally questioned the non-appearance of the Student Bar minutes on the bulletin boards. At this time the Student Bar President patiently explained the procedure needed to approve a set of minutes. It sounded quite safe and secure. Since this fine explanation Wally has felt quite contrite and began to realize that all his supposed troubles could be laid at the door of his misspent youth. But suddenly there was light where before there was darkness, maybe the devil hadn't caught up with the Old Walrus yet, the truth dawned with the brightness and fury of a thousand sunrises - - - THE STUDENT BAR ASSOCIATION HAS NOT PUBLISHED A COPY OF ITS MINUTES FOR MONTHS - - - one question please, WHY?

For those of you who may not have noticed the public relations program of the school has taken another step forward and if you will glance up as you approach the school you will see a brand new sign. To those who haven't seen the sign until now - - - look up, it can't rain and snow forever.

While everyone is busily looking up, some of you may glance to the East and wonder if Connie Hilton will soon become a paying (?) neighbor of ours. Wally thinks the whole well thought plan is truly wonderful. Why this country hasn't seen such magnanimity since the Louisiana Purchase and they say Yankee ingenuity is lost. Don't misunderstand Wally is not against progress, it is merely that somewhere in the bank of his mind a little voice keeps shouting two words, just two little words - "the plan, the plan." Nuff said?